

REMARKS/ARGUMENTS

Concurrently with filing of the RCE, claims 11 and 24 are amended. Claims 11-15 and 24-27 are now active in this application.

The continued indication that claim 15 is allowable is acknowledged and appreciated.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 11 and 24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Admitted Prior Art (AAPA) in view of Suzuki et al. (USPN 4,621,191).

Claims 12 and 25 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Suzuki et al., as applied to claim 11, and further in view of Kazama et al. (USPN 5,883,668).

Claims 13 and 26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Suzuki et al., Kazama et al. (USPN 5,883,668), as applied to claim 12, and further in view of Kusaka et al. (USPN 5,589,909).

Claims 14 and 27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over AAPA in view of Suzuki et al., as applied to claim 11, and further in view of Kusaka et al.

II. To expedite prosecution, independent claims 11 and 24 are amended to delineate, *inter alia*:

a controller for controlling the electric charge accumulation time of said plurality of light-receiving elements such that a plurality of types of outputs with different electric charge accumulation times are produced by each of said light-receiving elements, discriminating whether at least one of said plurality of types of output signals is saturated for each one of the two-dimensionally arranged light-receiving elements or for each part of the two-dimensionally arranged light-receiving elements, and selecting, non-saturated signals among said plurality of types of output signals for each one of the plurality of two-dimensionally arranged

light-receiving elements or for each part of the plurality of two-dimensionally arranged light-receiving elements, based on the result of the discrimination.

Support for the discrimination and the selection for each (light-receiving) element is provided by Fig. 34(A) to 34(D). Support for the discrimination and the selection for each part (of the light-receiving elements) can be found in Fig. 36(A) to 36(D).

Suzuki et al. changes electric charge accumulation time of photoelectric element arrays in inverse proportion to the average value of the optical intensity distribution of received light based on the knowledge that dynamic range is substantially increased from d to d' by changing the charge accumulation time like $T_1 < T_2 < T_3$.

More specifically, the electric charge accumulation time of the entire photoelectric element arrays is changed in inverse proportion to the average light intensity for the entire photoelectric element arrays (short accumulation time T_1 for high intensity and long accumulation time T_3 for low intensity). Thereby, the substantial dynamic range in the photoelectric element arrays is increased to be d' (see FIG. 6 and column 4, lines 15-31).

This is the same method as the conventional solution described at page 5, line 21 - page 6, line 19 of the present application. However, as described in the present application, this method cannot deal with the case where light intensity is partly high/low.

In contrast, according to the invention recited in amended claims 11 and 24, saturation is discriminated and selected for each element/part of the two-dimensional sensor. Thereby, non-saturated signals can be obtained even when light intensity is partly high/low, leading to a precise measurement.

Consequently, amended independent claims 11 and 24 are patentable over (AAPA) and Suzuki et al., considered alone or in combination, as are dependent claims 12-14 and 25-27, even when considered further in view of Kazama et al. and Kusaka et al.

In view of the above, the allowance of claims 11-14 and 24-27, as amended, is respectfully solicited.

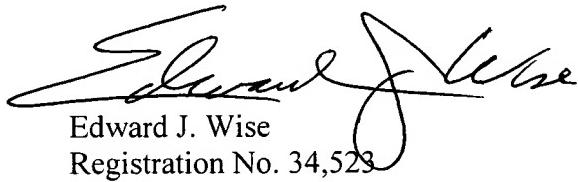
CONCLUSION

Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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